



**Agenda Item Number:** \_\_\_\_\_

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** May 25, 2010

**Department:** Zoning, Building, Planning **Staff Contact:** Mari Simbaña, Program Planner

**TITLE:** Special Use Permit for a Specific Use for a Flea Market (CSU-20100011)

### **COUNTY PLANNING COMMISSION RECOMMENDATION:**

Approval

### **SUMMARY:**

At the April 7, 2010 public hearing, the County Planning Commission voted (6-0; Commissioner Sanchez excused) to recommend approval for a Special Use Permit for a Flea Market on Tract 1, The Village of Bella Vista, Unit 2, located at 3 East Mountain Trail, zoned C-1, and containing approximately 4.37 acres. The decision was based on the following five (5) Findings and subject to the following fourteen (14) Conditions:

#### Findings:

1. This is a request for a Special Use Permit for Specific Use for a Flea Market on Tract 1, The Village of Bella Vista, Unit 2, located at 3 East Mountain Trail, zoned C-1, and containing approximately 4.37 acres.
2. The property is within the Rural Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan.
3. The application has substantial neighborhood support.
4. This request is consistent with Resolution 116-86 in that the request is more advantageous to the community by providing needed goods and services.
5. This request is consistent with Resolution 116-86 in that this land use is more advantageous to the community since it encourages a small-scale, locally-owned and operated industry that complements residential areas and reduces the need to travel as articulated in Policies 3.g, 6.a, 6.b & 6.g of the Albuquerque/Bernalillo County Comprehensive Plan.

Conditions:

1. The market shall operate on Wednesdays, Saturdays, and Sundays from 6:00am until 3:00pm.
2. There shall be a maximum of fifty (50) vendor spaces.
3. There shall be a minimum of fifty (50) off street parking spaces. Any additional parking must be accommodated on the site.
4. There shall be a minimum of twenty (20) feet between rows of vendor spaces for emergency access purposes.
5. Permanent outdoor storage shall not be permitted. Temporary structures shall be removed following the ending of each operating day.
6. Within ninety (90) days of final approval from the Board of County Commissioners, the applicant shall submit a Traffic Scoping Report to the Bernalillo County Public Works Division for review and approval. The Traffic Scoping Report shall address the impacts of the project on the road system. The applicant shall provide a copy of final approval to the Zoning Administrator for inclusion with the corresponding file.
7. New Mexico Department of Transportation requires that Narcisco Road serve as a right-in/right-out access only (no left turns) and the 26-foot driveway, being a full access drive, shall serve as the main exit/entrance to the site. Property owner shall trim all foliage that obstructs the view at the 26-foot driveway.
8. Lighting shall be site-specific. Shielded or cutoff fixtures shall be provided so that no fugitive light crosses to adjacent lots.
9. The applicant shall comply with the Bernalillo County Noise Ordinance. No outdoor speakers or amplified sound systems shall be permitted.
10. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
11. The site plan shall be revised to show off-street parking spaces, emergency access aisles, and the list of Conditions of Approval.
12. Three copies of the revised site plan consistent with the conditions of approval shall be submitted for review and approval to the Zoning Administrator within 30 days from the date of final Board of County Commissioners approval.
13. The Special Use Permit shall be issued for five (5) years.
14. The foregoing Conditions shall become effective immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit, and shall be strictly complied with within one year.

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (April 12, 2010)
2. County Planning Commission Information Packet
3. Site Plan (Commissioners Only)

**STAFF ANALYSIS SUMMARY**

**ZONING, BUILDING & PLANNING:**

Staff recommends approval